

Message Text

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73/11

ORIGIN EB-11

INFO OCT-01 EUR-25 ISO-00 TRSE-00 EA-11 SPC-03 AID-20

NSC-10 RSC-01 CIEP-02 SS-20 STR-08 OMB-01 CEA-02

CIAE-00 COME-00 FRB-02 INR-10 NSAE-00 XMB-07 OPIC-12

LAB-06 SIL-01 L-03 TAR-02 ARA-16 /174 R

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DRAFTED BY: EB/OT/STA:WTDIROLL

APPROVED BY: EB/OT/STA:EWKEMPE

TREAS:BIRVING

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R 292215Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMCONSUL HONG KONG

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY MANILA

AMEMBASSY MEXICO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY SEOUL

AMEMBASSY SINGAPORE

AMEMBASSY STOCKHOLM

AMEMBASSY TAIPEI

AMEMBASSY THE HAGUE

AMEMBASSY TOKYO

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C O R R E C T E D COPY (OMISSION LINE 6 PARA 2)

TAGS: ETRD EEC, HK, PO, RP, MS, CA, KS, SN, SW, TS, JA

E.O. 11652 N/A

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SUBJECT: PROPOSED AMENDMENT OF CUSTOMS REGULATIONS APPLYING

TO CERTAIN ARTICLES EXPORTED AND RETURNED

1. THE COMMISSIONER OF CUSTOMS HAS GIVEN PUBLIC NOTICE IN THE FEDERAL REGISTER OF OCTOBER 9, 1973, THAT THE UNITED STATES CUSTOMS SERVICE HAS UNDER CONSIDERATION AN AMENDMENT OF THE CUSTOMS REGULATIONS APPLYING TO THE ENTRY OF CERTAIN ARTICLES ASSEMBLED ABROAD IN WHOLE OR IN PART OF FABRICATED UNITED STATES COMPONENTS UNDER THE PROVISIONS OF ITEM 807.00 OF THE TARIFF SCHEDULES OF THE UNITED STATES. INTERESTED PARTIES HAVE BEEN REQUESTED TO SUBMIT ANY VIEWS ON OR BEFORE NOVEMBER 8, 1973.

2. ITEM 807.00 PROVIDES A DUTY ALLOWANCE FOR UNITED STATES FABRICATED COMPONENTS INCORPORATED IN IMPORTED ARTICLES ABROAD. IN SEEKING THE DUTY ALLOWANCE, OWNERS, IMPORTERS OR OTHER DULY AUTHORIZED AGENTS ARE ORDINARILY REQUIRED BY THE CUSTOMS REGULATIONS GOVERNING THE ADMINISTRATION OF ITEM 807.00 TO FILE TWO DECLARATIONS ON PRESENTING THE ARTICLE CONTAINING THE FABRICATED COMPONENTS FOR ENTRY. ONE IS A DECLARATION BY THE FOREIGN SHIPPER THAT THE ARTICLE WAS ASSEMBLED IN WHOLE OR IN PART FROM UNITED STATES COMPONENTS, TOGETHER WITH RELATED INFORMATION SUCH AS (A) A DESCRIPTION OF THE UNITED STATES COMPONENTS, INCLUDING ANY MARKS OR IDENTIFICATION NUMBERS; (B) THE QUANTITY OF SUCH UNITED STATES COMPONENTS; (C) THE UNIT VALUE AT THE TIME AND PLACE OF EXPORT FROM THE UNITED STATES (D) THE PORT AND DATE OF EXPORT FROM THE UNITED STATES, AND (E) A FULL DESCRIPTION OF ALL OPERATIONS PERFORMED ABROAD ON UNITED STATES COMPONENTS.

3. THE OTHER DOCUMENT REQUIRED TO BE FILED IS SIMPLY A DECLARATION BY THE OWNER, IMPORTER OR AGENT THAT THE INFORMATION FURNISHED IN THE SHIPPING DECLARATION IS CORRECT. THE CUSTOMS REGULATIONS AS THEY NOW STAND HAVE, HOWEVER, AUTHORIZED A WAIVER OF THE FILING OF THE SHIPPER'S DECLARATION IF CUSTOMS OFFICIALS WERE REASONABLY SATISFIED BECAUSE OF (A) THE NATURE OF THE ARTICLE PRESENTED FOR ENTRY OR (B) DUE TO THE PRODUCTION OF OTHER EVIDENCE AS TO THE EXISTENCE OF ALL FACTS UPON WHICH THE ENTRY OF THE MERCHANDISE IS DEPENDENT, THAT THE ARTICLE

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IS ELIGIBLE FOR ENTRY UNDER THE PROVISIONS OF ITEM 807.00 AS A RESULT THE FILING OF THE SHIPPER'S DECLARATION HAS NOT BEEN REQUIRED IN SOME CASES AND THIS HAS MADE IT DIFFICULT, IN INSTANCES IN WHICH QUESTIONS HAVE ARISEN CONCERNING ELIGIBILITY FOR DUTY ALLOWANCE, TO ASCERTAIN WHAT AMERICAN COMPONENTS ARE INCLUDED AND THE PROCESSING THROUGH WHICH THE FINAL ARTICLE WAS ASSEMBLED OR PRODUCED.

4. THE PRINCIPAL EFFECTS OF THE PROPOSED AMENDMENT, IF IMPLEMENTED, WOULD BE (1) TO ELIMINATE THE WAIVER PROVISION TO ENSURE UNIFORM TREATMENT OF MERCHANDISE ENTERED UNDER ITEM 807.00 AT ALL PORTS OF ENTRY, AND TO REQUIRE THAT PARTIES USING ITEM 807.00 SUPPLY ADDITIONAL INFORMATION ON THEIR DECLARATIONS IN SUPPORT OF CLAIMS FOR DUTY ALLOWANCE. THE PURPOSE IS TO IMPROVE CUSTOMS ADMINISTRATION AND TO PREVENT ABUSE.

5. FOREGOING IS FOR MISSION'S BACKGROUND INFORMATION IN RESPONDING TO INQUIRIES.

6. TEXT OF FEDERAL REGISTER NOTICE AIRPOUCHED KISSINGER

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To: BONN MULTIPLE
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